

January 27, 2022

VIA ECF

The Honorable John G. Koeltl
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

Re: GateGuard, Inc. v. Amazon.com, Inc. et al., Case No. 21 Civ. 09321 (JGK)

Dear Judge Koeltl:

We represent Defendants Amazon.com, Inc., Amazon.com Services LLC, and Amazon Logistics, Inc. (collectively “Amazon”) in the above-captioned action.¹ Pursuant to Rule I.E of this Court’s Individual Practices, Amazon respectfully requests that the February 25, 2022 deadline for filing its motion to dismiss (the “Motion”) Plaintiff’s first amended complaint, Dkt. 14 (the “FAC”) be extended to March 10, 2022. Amazon seeks this extension of time to file its Motion so that it may adequately address the four new claims asserted in Plaintiff’s FAC. This is Amazon’s first request for an extension of time to file its Motion and Plaintiff consents to this request. Plaintiff also requests an additional week to file its opposition to Amazon’s Motion, to which Amazon consents.

By Order dated January 7, 2022, a copy of which is enclosed as Exhibit A, the Court set a briefing schedule requiring Amazon to file its Motion by February 25, 2022; Plaintiff to file its opposition to Amazon’s Motion by March 25, 2022; and Amazon to file its reply by April 8, 2022.

As set forth in the Proposed Revised Scheduling Order, enclosed as Exhibit B, Amazon and Plaintiff together propose to amend the briefing schedule as follows: Amazon’s Motion to be due by **March 10, 2022**; Plaintiff’s opposition to be due by **April 14, 2022**; and Amazon’s reply to be due by **April 28, 2022**.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Anne Champion

Anne Champion

cc: All counsel of record (via ECF)

¹ Though Amazon.com Services, Inc. was named as a defendant in this action, that entity no longer exists.

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GATEGUARD, INC.,

Plaintiff.

- against -

AMAZON, INC., ET AL.,

Defendants.

21-cv-9321 (JGK)

ORDER


JOHN G. KOELTL, District Judge:

As discussed at the conference held today, the plaintiff may file an amended complaint by January 24, 2022. The defendants must move or answer by February 25, 2022. The plaintiff's opposition to any motion to dismiss is due by March 25, 2022. The defendants' reply is due by April 8, 2022.

The word limit for the motion to dismiss and for the opposition is enlarged to 10,000. The word limit for the reply is enlarged to 4,000.

SO ORDERED.

Dated: New York, New York
January 7, 2022



John G. Koeltl
United States District Judge

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GATEGUARD, INC.,	:
	:
Plaintiff,	:
	:
-against-	:
	:
AMAZON.COM, INC., AMAZON.COM	:
SERVICES, INC., AMAZON.COM	:
SERVICES, LLC, AMAZON LOGISTICS,	:
INC.,	:
	:
Defendants.	:
-----X	

The briefing schedule previously set by Order dated January 7, 2022 is amended by agreement between Plaintiff and Defendants as follows:

1. Defendants shall move or answer Plaintiff's First Amended Complaint by **March 10, 2022**.
2. Plaintiff shall file its opposition to any motion to dismiss by **April 14, 2022**.
3. Defendants shall file their reply by **April 28, 2022**.

SO ORDERED.

HON. JOHN G. KOELTL
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
January __, 2022